

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA, : Case No. 3:10 CR 00522
Plaintiff, : JUDGE JAMES G. CARR
-vs- :
ALEX DAVID COOK, : **REPLY TO GOVERNMENT'S**
Defendant. : **RESPONSE TO DEFENDANT'S**
: **MOTION TO REINSPECT**
: **COMPUTER**

Now comes the Defendant, Alex David Cook, by and through undersigned Counsel, and makes the following Reply to the Government's Response to his Motion to Reinspect his Computer.

In its Response, the Government minimizes Mr. Cook's request, charging that "it essentially asks the Court to let him examine the computer again, and he will come up with something new."

The short time frame given to the Defense's expert, Mr. Vassel, did not allow for several things: a full investigation of the entire computer to determine if there was Malware, a virus, or Trojans hidden in the computer; a detailed analysis regarding other individuals' having access to the computer; and an examination of all computer settings in order to determine whether someone could plant items on the computer without the user's knowing it in order to rebut the testimony of the government's expert at trial.

Allowing Mr. Cook's expert to examine the computer will not cause any hardship to the Government. Indeed, Mr. Cook will be paying the expenses of a reinspection. If Mr. Vassel does not find anything, then the matter is closed. But if he does, then surely

the Government will not be troubled because it is in everyone's interest that convictions only be built on reliable evidence.

Therefore, based on the foregoing, Alex Cook respectfully requests that this Court grant his Motion to Reinspect his Computer.

/s/Elizabeth Kelley
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SERVICE

I certify that on July 11, 2012, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/Elizabeth Kelley
ELIZABETH KELLEY